

(2) Discharge overboard of platform machinery space bilge water.

(g) In the event of an emergency, accidental or other exceptional discharge of oil or oily mixture, a statement shall be made in the Oil Record Book of the circumstances of, and the reasons for, the discharge.

(h) Each operation described in paragraphs (d), (e) and (f) of this section shall be fully recorded without delay in the Oil Record Book so that all the entries in the book appropriate to that operation are completed. Each completed operation shall be signed by the person or persons in charge of the operations concerned and each completed page shall be signed by the master or other person having charge of the ship.

(i) The Oil Record Book shall be kept in such a place as to be readily available for inspection at all reasonable times and shall be kept on board the ship.

(j) The master or other person having charge of a ship required to keep an Oil Record Book shall be responsible for the maintenance of such record.

(k) The Oil Record Book for a U.S. ship shall be maintained on board for not less than three years.

(l) This section does not apply to a barge or a fixed or floating drilling rig or other platform that is not equipped to discharge overboard any oil or oily mixture.

(m) This section does not apply to a fixed or floating drilling rig or other platform that is operating in compliance with a valid National Pollutant Discharge Elimination System (NPDES) permit.

(Approved by the Office of Management and Budget under control number 1625-0009)

[CGD 75-124a, 48 FR 45709, Oct. 6, 1983; 48 FR 54977, Dec. 8, 1983, as amended by CGD 88-002A, 55 FR 18582, May 2, 1990; USCG-2000-7641, 66 FR 55571, Nov. 2, 2001; USCG-2006-25150, 71 FR 39209, July 12, 2006; USCG-2006-25556, 72 FR 36328, July 2, 2007]

§ 151.26 Shipboard oil pollution emergency plans.

(a) *Language of the plan.* The shipboard oil pollution emergency plan must be available on board in English and in the working language of the master and the officers of the ship, if other than English.

(b) *Plan format.* The plan must contain the following six sections. A seventh non-mandatory section may be included at the shipowner's discretion:

(1) *Introduction.* This section must contain the following:

(i) *Introductory text.* The introductory text of the plan must contain the following language (For ships operating in Antarctica, the introductory text of the plan must contain the following language *and* explain that they are in accordance with the Protocol on Environmental Protection to the Antarctic Treaty):

This plan is written in accordance with the requirements of Regulation 37 of Annex I of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78).

The purpose of the plan is to provide guidance to the master and officers on board the ship with respect to the steps to be taken when a pollution incident has occurred or is likely to occur.

The plan contains all information and operational instructions required by the guidelines (Resolution MEPC.54(32) as amended by Resolution MEPC.86(44)). The appendices contain names, telephone numbers, telex numbers, etc. of all contacts referenced in the plan, as well as other reference material.

This plan has been approved by the Coast Guard and, except as provided below, no alteration or revision may be made to any part of it without the prior approval of the Coast Guard.

Changes to the seventh section of the plan and the appendices do not require approval by the Coast Guard. The appendices must be maintained up-to-date by the owners, operators, and managers.

(ii) General information.

(A) The ship's name, call sign, official number, International Maritime Organization (IMO) international number, and principal characteristics.

(B) [Reserved]

(2) *Preamble.* The plan must be realistic, practical, and easy to use, and the Preamble section of the plan must reflect these three features of the plan. The use of flowcharts, checklists, and appendices within the plan will aid in addressing this requirement. This section must contain an explanation of the purpose and use of the plan and indicate how the shipboard plan relates to other shore-based plans. Additionally, the Preamble section of the plan

must clearly recognize coastal States' rights to approve oil pollution response in their waters by stating the following:

Without interfering with shipowner's liability, some coastal States consider that it is their responsibility to define techniques and means to be taken against an oil pollution incident and approve such operations that might cause further pollution, i.e., lightening. States are entitled to do so under the International Convention relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969 (Intervention Convention).

(3) *Reporting Requirements.* This section of the plan must include information relating to the following:

(i) *When to report.* A report shall be made whenever an incident involves—

(A) A discharge of oil above the permitted level for any reason, including those for the purpose of securing the safety of the ship or saving life at sea;

(B) A discharge of oil or oily mixture during the operation of the ship in excess of the quantities or instantaneous rate permitted in §151.10 of this subpart or in §157.37 of this subchapter; or

(C) A probable discharge. Factors to be considered in determining whether a discharge is probable include, but are

not limited to: ship location and proximity to land or other navigational hazards, weather, tide, current, sea state, and traffic density. The master must make a report in cases of collision, grounding, fire, explosion, structural failure, flooding or cargo shifting, or an incident resulting in failure or breakdown of steering gear, propulsion, electrical generating system, or essential shipborne navigational aids.

(ii) *Information required.* This section of the plan must include a notification form, such as the one depicted in Table 151.26(b)(3)(ii), that includes all the data elements required in Resolution A.851(20) and contains information to be provided in the initial and follow-up notifications. The official number of the vessel and current conditions of the vessel are to be included. In addition, the initial notification should include as much of the information on the form as possible, and supplemental information, as appropriate. However, the initial notification must not be delayed pending collection of all information. Copies of the form must be placed at the location(s) on the ship from which notification may be made.

TABLE 151.26(b) (3) (ii)

SHIPBOARD OIL POLLUTION EMERGENCY PLAN SAMPLE FORMAT FOR INITIAL NOTIFICATION	
<u>AA (SHIP NAME, CALL SIGN, FLAG)</u>	
<u>BB (DATE AND TIME OF EVENT, UTC)</u> <div style="text-align: center;"> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> D D H H M M </div>	
<u>CC (POSITION, LAT, LONG)</u> <div style="display: flex; justify-content: space-between;"> <div> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> d d m m </div> <div> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> d d d m m </div> </div>	<u>DD (BEARING, DISTANCE FROM LANDMARK)</u> <div style="display: flex; justify-content: space-between;"> <div> <input type="text"/> <input type="text"/> <input type="text"/> d d d </div> <div> <input type="text"/> <input type="text"/> N miles </div> </div>
<u>EE (COURSE)</u> <div style="text-align: center;"> <input type="text"/> <input type="text"/> <input type="text"/> d d d </div>	<u>FF (SPEED, KNOTS)</u> <div style="text-align: center;"> <input type="text"/> <input type="text"/> <input type="text"/> km km 1/10 </div>
<u>LL (INTENDED TRACK)</u>	
<u>MM (RADIO STATION(S) GUARDED)</u>	
<u>NN (DATE AND TIME OF NEXT REPORT, UTC)</u> <div style="text-align: center;"> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> D D H H M M </div>	
<u>PP (TYPE AND QUANTITY OF CARGO/BUNKERS ON BOARD)</u>	
<u>OO (BRIEF DETAILS OF DEFECTS/DEFICIENCIES/DAMAGE)</u>	

TABLE 151.26(b) (3) (ii) Continued

<u>RR (BRIEF DETAILS OF POLLUTION, INCLUDING ESTIMATE OF QUANTITY LOST)</u>			
<u>SS (BRIEF DETAILS OF WEATHER AND SEA CONDITIONS)</u>			
WIND	DIRECTION <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> SPEED (Beaufort)		SWELL DIRECTION <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> HEIGHT (m)
<u>TT (CONTACT DETAILS OF SHIPS OWNER/OPERATOR/AGENT)</u>			
<u>UU (SHIP, SIZE, AND TYPE)</u>			
LENGTH:	(m)	BREADTH:	(m) DRAUGHT: (m) TYPE:
<u>XX (ADDITIONAL INFORMATION)</u>			
BRIEF DETAILS OF INCIDENT:			
NEED FOR OUTSIDE ASSISTANCE:			
ACTIONS BEING TAKEN:			
NUMBER OF CREW AND DETAILS OF ANY INJURIES:			
DETAILS OF P&I CLUB & LOCAL CORRESPONDENT:			
OTHERS:			

Note: The alphabetical reference letters in the above format are from "General principles for ship reporting systems and ship reporting requirements, including guidelines for reporting incidents involving dangerous goods, harmful substances and/or marine pollutants" adopted by the International Maritime Organization by resolution A.851(20). The letters do not follow the complete alphabetical sequence as certain letters are used to designate information required for other standard reporting formats, e.g., those used to transmit route information.

(iii) *Whom to contact.* (A) This section of the plan must make reference to the appendices listing coastal state contacts, port contacts, and ship interest contacts. In order to expedite response and minimize damage from a pollution incident, it is essential that appropriate coastal States should be notified without delay. This process begins with the initial report required by article 8 and Protocol I of MARPOL 73/78.

(B) For actual or probable discharges of oil, or oily mixtures the reports must comply with the procedures described in MARPOL Protocol I. The reports shall be directed to either the nearest Captain of the Port (COTP) or to the National Response Center (NRC), toll free telephone number: 800-424-8802, direct telephone: 202-267-2675, or Fax: 202-267-1322.

(C) For Antarctica, in addition to compliance with paragraph (b)(3)(iii)(B) of this section, reports shall also be di-

rected to any Antarctic station that may be affected.

(D) The plan must clearly specify who will be responsible for informing the necessary parties from the coastal State contacts, the port contacts, and the ship interest contacts.

(4) *Steps to control a discharge.* This section of the plan must contain a discussion of procedures to address the following scenarios:

(i) Operational spills: The plan must outline procedures for safe removal of oil spilled and contained on deck. The plan must also provide guidance to ensure proper disposal of recovered oil and cleanup materials;

(ii) Spills resulting from casualties: Casualties should be treated in the plan as a separate section. The plan should include various checklists or other means that will ensure the master considers all appropriate factors when addressing the specific casualty

(Reference is made here to the International Safety Management (ISM) Code, Section 8). These checklists must be tailored to the specific ship and to the specific product or product types. In addition to the checklists, specific personnel assignments for anticipated tasks must be identified. Reference to existing fire control plans and muster lists is sufficient to identify personnel responsibilities. The following are examples of casualties that must be considered—

- (A) Grounding;
- (B) Fire or explosion;
- (C) Collision/Allision;
- (D) Hull failure;
- (E) Excessive list;
- (F) Containment system failure;
- (G) Submerged/Foundered;
- (H) Wrecked/Stranded; and
- (I) Hazardous vapor release.

(iii) In addition to the checklist and personnel duty assignments required by paragraph (b)(4)(ii) of this section, the plan must include—

(A) Priority actions to ensure the safety of personnel and the ship, assess the damage to the ship, and take appropriate further action;

(B) Stability and strength considerations: The plan should provide the master with detailed guidance to ensure that great care in casualty response must be taken to consider stability and strength when taking actions to mitigate the spillage of oil or to free the vessel if aground. Information for making damage stability and longitudinal strength assessments, or contacting classification societies to acquire such information, should be included. Where appropriate, the plan should provide a list of information for making damage stability and damage longitudinal strength assessments. The damage stability information for oil tankers and offshore oil barges in 33 CFR 155.240 is required to be provided in the SOPEP;

(C) Lightening procedures to be followed in cases of extensive structural damage: The plan must contain information on procedures to be followed for ship-to-ship transfer of cargo. Reference may be made in the plan to existing company guides. A copy of such company procedures for ship-to-ship transfer operations must be kept in the

plan. The plan must address the coordination of this activity with the coastal or port state, as appropriate;

(D) Mitigating activities: The spill mitigation requirements of 33 CFR 155.1035(c) must be met for tankships, the requirements of 33 CFR 155.1040(c) must be met for unmanned vessels, and the requirements of 33 CFR 155.5035(c) must be met for nontank vessels. Additionally, the following personnel safety mitigation strategies must be addressed for all personnel involved—

- (1) Assessment and monitoring activities;
- (2) Personnel protection issues;
- (3) Protective equipment;
- (4) Threats to health and safety;
- (5) Containment and other response techniques;
- (6) Isolation procedures;
- (7) Decontamination of personnel; and

(8) Disposal of removed oil and clean-up materials; and

(E) Drawings and ship-specific details: Supporting plans, drawings, and ship-specific details such as a layout of a general arrangement plan, midship section, lines or tables of offsets, and tank tables must be included with the plan. The plan must show where current cargo, bunker or ballast information, including quantities and specifications, is available.

(5) *National and Local Coordination.* (i) This section of the plan must contain information to assist the master in initiating action by the coastal State, local government, or other involved parties. This information must include guidance to assist the master with organizing a response to the incident, should a response not be organized by the shore authorities. Detailed information for specific areas may be included as appendices to the plan. See 33 CFR 151.26(b)(2) (Preamble) regarding a ship owner's responsibility to comply with individual state requirements for oil spill response.

(ii) For Antarctica, a vessel owner or operator must include a plan for prompt and effective response action to such emergencies as might arise in the performance of its vessel's activities.

(iii) To comply with paragraph (b)(5)(ii) of this section, an agency of the United States government may

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promulgate a directive providing for prompt and effective response by the agency's public vessels operating in Antarctica.

(6) *Appendices*. Appendices must include the following information:

(i) Twenty-four hour contact information and alternates to the designated contacts. These details must be routinely updated to account for personnel changes and changes in telephone, telex, and telefacsimile numbers. Clear guidance must also be provided regarding the preferred means of communication.

(ii) The following lists, each identified as a separate appendix:

(A) A list of agencies or officials of coastal state administrations responsible for receiving and processing incident reports;

(B) A list of agencies or officials in regularly visited ports. When this is not feasible, the master must obtain details concerning local reporting procedures upon arrival in port; and

(C) A list of all parties with a financial interest in the ship such as ship and cargo owners, insurers, and salvage interests.

(D) A list which specifies who will be responsible for informing the parties listed and the priority in which they must be notified.

(iii) A record of annual reviews and changes.

(7) *Non-mandatory provisions*. If this section is included by the shipowner, it should include the following types of information or any other information that may be appropriate:

(i) Response equipment or oil spill removal organizations;

(ii) Public affairs practices;

(iii) Recordkeeping;

(iv) Plan exercising; and

(v) Individuals qualified to respond.

(8) *Index of sections*. The plan must be organized as depicted in Table 151.26(b)(8).

TABLE 151.26(b)(8)—INDEX OF SECTIONS—
SAMPLE FORMAT

Mandatory

Section 1: Introduction

Section 2: Preamble

Section 3: Reporting requirements

Section 4: Steps to control a discharge

33 CFR Ch. I (7–1–14 Edition)

Section 5: National and local coordination

Section 6: Appendices

Voluntary

Section 7: Non-mandatory provisions

[CGD 93–030, 59 FR 51338, Oct. 7, 1994, as amended by CGD 97–015, 62 FR 18045, Apr. 14, 1997; USCG–2000–7641, 66 FR 55571, Nov. 2, 2001; USCG–2008–0179, 73 FR 35014, June 19, 2008; USCG–2008–1070, 78 FR 60120, Sept. 30, 2013]

§ 151.27 Plan submission and approval.

(a) No manned ship subject to this part may operate unless it carries on board a shipboard oil pollution emergency plan approved by the Coast Guard. An unmanned ship subject to this regulation must carry the notification list required in § 151.26(b)(3) on board in the documentation container; remaining sections of the plan must be maintained on file at the home office. For new ships, plans must be submitted at least 90 days before the ship intends to begin operations.

(b) An owner or operator of a ship to which this part applies shall prepare and submit one English language copy of the shipboard oil pollution emergency plan to Commandant (CG–5431), U.S. Coast Guard, 2100 2nd St., SW., Stop 7581, Washington, DC 20593–7581.

(c) An owner or operator with multiple ships to which this part applies may submit one plan for each type of ship with a separate ship-specific appendix for each vessel covered by the plan.

(d) Combined shipboard oil pollution emergency plans and response plans meeting the requirements of subparts D and E of part 155 of this chapter must be prepared according to § 155.1030(j) of this chapter.

(e) If the Coast Guard determines that the plan meets the requirements of this section, the Coast Guard will issue an approval letter. The approval period for a plan expires 5 years after the approval date.

(f) If the Coast Guard determines that the plan does not meet the requirements, the Coast Guard will notify the owner or operator of the plan's deficiency. The owner or operator must then resubmit a copy of the revised plan or the corrected portions of the